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Of Attorneys for Defendants 2275 W Burnside LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

Portland Division

AUSTIN GOODRICH,

Plaintiff,

v.

**2275 W BURNSIDE LLC and TLC
BOOKKEEPING AND TAX PREP INC.,**

Defendants.

Case No. 3:20-CV-670-JR

**DEFENDANT 2275 W BURNSIDE, LLC'S
ANSWER AND AFFIRMATIVE
DEFENSES**

Defendant, 2275 W Burnside, LLC (hereafter, "2275"), by and through its attorney of record, Robert S. May of Kilmer, Voorhees & Laurick, P.C., hereby responds to Plaintiff's Complaint with its Answer and Affirmative Defenses, and states as follows:

JURISDICTION AND THE PARTIES

1. Answering paragraph 1, 2275 admits this Court has jurisdiction and that venue is proper in the U.S. District Court of Oregon, Portland Division.

2. Answering paragraph 2, 2275 admits that Plaintiff is a tenant residing at 2005 Main Street, Forest Grove, Oregon. 2275 lacks knowledge as to whether Plaintiff is a taxpayer.

3. Answering paragraph 3, 2275 admits it is the owner of the building at 2005 Main Street in Forest Grove, Oregon.

4. Answering paragraph 4, 2275 denies.

FACTUAL ALLEGATIONS

5. Paragraph 5 is merely a qualifying statement as to the basis of plaintiff's allegations herein, therefore, no response is required.

6. Answering paragraph 6, 2275 denies.

7. Answering paragraph 7, 2275 denies.

8. Answering paragraph 8, 2275 denies.

CLAIMS FOR RELIEF

(26 USC § 7431)

9. Answering paragraph 9, 2275 denies.

Invasion of Privacy

10. Answering paragraph 10, 2275 denies.

AFFIRMATIVE DEFENSES

BY WAY OF FURTHER ANSWER AND AS AFFIRMATIVE DEFENSES, 2275 alleges as follows:

11. Plaintiff's Complaint fails to state a claim upon which relief can be granted.

12. That Plaintiff's claimed damages or losses, if any, were in whole or in part the result of the conduct of others over whom 2275 had no control, nor right of control, and any award of damages against 2275 should be reduced accordingly.

13. 2275 reserves the right to assert additional defenses, and to amend its defenses upon further particularization of Plaintiff's claims, or upon further discovery of information concerning Plaintiff's claims.

DEFENDANT'S PRAYER FOR RELIEF

WHEREFORE, Defendant 2275 W Burnside, LLC prays for the following relief:

1. For the dismissal of Plaintiff's Complaint with prejudice and without recovery;
2. For 2275's fees and costs as allowed by law and/or statute; and
3. For such and other further relief as this Court deems fit and proper.

DATED this 14th day of May, 2020.

KILMER, VOORHEES & LAURICK, P.C.

s/Robert S. May

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